

ORIGINAL

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UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEB 23 2006
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00190 JMS
)	
Plaintiff,)	SUPERSEDING INDICTMENT
)	
vs.)	[21 U.S.C. §§ 841(a)(1)
)	(b)(1)(A), and 846
JOSE DIAZ,	(01)	18 U.S.C. §§ 2, 924(c)(1)]
ALFRED NOBRIGA, JR.,	(02))
CHANDRA POUNDS,	(03))
ELIAS JAUREGUI, and	(04))
SCOTT SPENCER,))
a.k.a. "Scotty"	(05))
))
Defendants.))
))

SUPERSEDING INDICTMENT

COUNT 1:

The Grand Jury charges that:

From on or about May 1, 2004, to and including May 7,
2005, in the District of Hawaii, and elsewhere,

JOSE DIAZ, ALFRED NOBRIGA, JR., CHANDRA POUNDS,
ELIAS JAUREGUI, and SCOTT SPENCER, a.k.a. "Scotty",

defendants herein, did willfully and unlawfully conspire together with each other and others known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute, and distribute, in excess of fifty (50) grams of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

It was the object of the aforesaid conspiracy to possess methamphetamine for distribution in Hawaii.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, the defendants performed overt acts in the District of Hawaii and elsewhere which include, but are not limited to, the following:

1. In or around May of 2004, JOSE DIAZ, ALFRED NOBRIGA, JR., and SCOTT SPENCER, a.k.a. "Scotty", entered into an agreement for JOSE DIAZ to supply methamphetamine to SCOTT SPENCER with the help of ALFRED NOBRIGA, JR.

2. On or about February 25, 2005, ELIAS JAUREGUI and others, arrived in Hawaii to deliver methamphetamine to ALFRED NOBRIGA, JR. who in turn distributed it to SCOTT SPENCER.

3. On or about March 13, 2005, ELIAS JAUREGUI and others, arrived in Hawaii to deliver methamphetamine to ALFRED NOBRIGA, JR. who in turn distributed it to SCOTT SPENCER.

4. On or about April 2, 2005, ELIAS JAUREGUI and others, arrived in Hawaii to deliver methamphetamine to ALFRED NOBRIGA, JR. who in turn distributed it to SCOTT SPENCER.

5. On or about May 5, 2005, CHANDRA POUNDS boarded an airplane and flew from California to Hawaii.

6. On or about May 5, 2005, CHANDRA POUNDS carried approximately one pound of methamphetamine on her person from California to Hawaii.

7. On May 5, 2005, CHANDRA POUNDS and ALFRED NOBRIGA, JR. were in possession of approximately one pound of methamphetamine.

8. On May 5, 2005, CHANDRA POUNDS and ALFRED NOBRIGA, JR. transferred the one pound of methamphetamine and placed it in ALFRED NOBRIGA, JR.'s 2001 white Ford pickup truck.

9. From approximately May 1, 2004, to and including May 7, 2005, ALFRED NOBRIGA, JR. received approximately five shipments of methamphetamine from JOSE DIAZ.

10. From approximately September 1, 2004, to and including May 7, 2005, JOSE DIAZ sent approximately twenty pounds of methamphetamine to Hawaii.

All in violation of Title 21, United States Code, Section 846.

COUNT 2:

The Grand Jury further charges that:

From on or about May 1, 2004, to and including May 7, 2005, in the District of Hawaii, and elsewhere,

**JOSE DIAZ, ELIAS JAUREGUI, SCOTT SPENCER, a.k.a. "Scotty",
ALFRED NOBRIGA, JR. and CHANDRA POUNDS**

did knowingly and intentionally possess, with intent to distribute, and distribute, in excess of 50 grams of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and Title 18 United States Code, Section 2.

COUNT 3:

On or about May 5, 2005, within the District of Hawaii, **ALFRED NOBRIGA, JR.**, did knowingly and intentionally carry a firearm, to wit: a "Winchester" brand, model 61 .22 caliber pump action rifle, serial number 327654 and a "Romarm CAI" brand, model SAR-1 .762 caliber rifle, serial number S1-315 29-2 000, and ammunition, to wit: three (3) "Winchester" brand .22 caliber rounds, and six (6) "Federal" brand, and twenty-four (24) 7.62 x 39 caliber rounds, during and in relation to a drug trafficking offense for which he may be prosecuted in a court of the United States, to wit, the offense described in Count 1 of this

indictment, in violation of Title 18, United States Code, Section 924(c)(1).

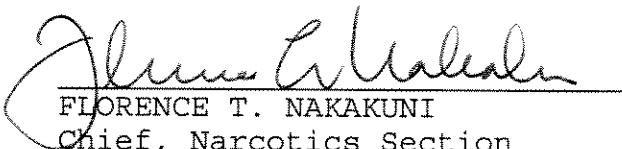
DATED: February 23, 2006 at Honolulu, Hawaii.

A TRUE BILL

/s/ FOREPERSON

FOREPERSON, GRAND JURY

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U.S. v. Jose Diaz, et al.
"Superseding Indictment"
Cr. No. 05-00190 JMS